

01-16-01

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PTO/SB/05 (11-00)

Please type a plus sign (+) inside this box → +

Approved for use through 10/31/2002. OMB 0651-0032

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01/12/01  
10966 U.S.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

|                        |  |
|------------------------|--|
| Attorney Docket No.    | 668437600002                                 |
| First Inventor         | Berkowitz et al.                             |
| Title                  | Audio Advertising Computer System and Method |
| Express Mail Label No. | EL711876883US                                |

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)

2.  Applicant claims small entity status.  
See 37 CFR 1.27.

3.  Specification [Total Pages 20]  
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets 6 ]

5. Oath or Declaration [ Total Pages ]  
 a.  Newly executed (original or copy)  
 b.  Copy from a prior application (37 CFR 1.63 (d))  
 (for continuation/divisional with Box 18 completed)
   
 i.  **DELETION OF INVENTOR(S)**  
 Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6.  Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:** Assistant Commissioner for Patents  
 Box Patent Application  
 Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 

- a.  Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
  - i.  CD-ROM or CD-R (2 copies); or
  - ii.  paper
- c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))

10.  37 CFR 3.73(b) Statement  Power of Attorney (when there is an assignee)

11.  English Translation Document (if applicable)

12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations

13.  Preliminary Amendment

14.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)

15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)

16.  Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17.  Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation     Divisional     Continuation-in-part (CIP)

of prior application No.: /

Prior application information: Examiner \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

|  |   |           |                |  |
|--|---|-----------|----------------|--|
| <input type="checkbox"/> Customer Number or Bar Code Label | (Insert Customer No. or Attach bar code label here) |           | or             | <input checked="" type="checkbox"/> Correspondence address below |
| Name   | Jones, Day, Reavis & Pogue                          |           |                |  |
| Address  | North Point   |           |                |  |
|  | 901 Lakeside Avenue                                 |           |                |  |
| City   | Cleveland   | State     | OH             | Zip Code   |
| Country  | US  | Telephone | (216) 586-3939 | Fax  |

|                   |                          |                                   |        |
|-------------------|--------------------------|-----------------------------------|--------|
| Name (Print/Type) | John V. Biernacki        | Registration No. (Attorney/Agent) | 40,511 |
| Signature         | <i>John V. Biernacki</i> |                                   | Date   |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 445)

## Complete if Known

|                      |                  |
|----------------------|------------------|
| Application Number   |                  |
| Filing Date          |                  |
| First Named Inventor | Berkowitz et al. |
| Examiner Name        |                  |
| Group Art Unit       |                  |
| Attorney Docket No.  | 668437600002     |

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

|                        |  |
|------------------------|--|
| Deposit Account Number |  |
| Deposit Account Name   |  |

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check     Credit card     Money Order     Other

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description        | Fee Paid |
|--------------|--------------|---------------|---------------|------------------------|----------|
| 101          | 710          | 201           | 355           | Utility filing fee     | 355      |
| 106          | 320          | 206           | 160           | Design filing fee      |          |
| 107          | 490          | 207           | 245           | Plant filing fee       |          |
| 108          | 710          | 208           | 355           | Reissue filing fee     |          |
| 114          | 150          | 214           | 75            | Provisional filing fee |          |

SUBTOTAL (1) (\$ 355)

## 2. EXTRA CLAIM FEES

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 30                 | -20** = 10   | x 9            | = 90     |
| Independent Claims | 2            | - 3** = 0      | x 40 = 0 |
| Multiple Dependent |              |                | 0 = 0    |

| 3. ADDITIONAL FEES        | Fee Description  | Fee Paid |
|---------------------------|--|----------|
| 105                       | 130 205 65 Surcharge - late filing fee or oath                                       |          |
| 127                       | 50 227 25 Surcharge - late provisional filing fee or cover sheet                     |          |
| 139                       | 130 139 130 Non-English specification  |          |
| 147                       | 2,520 147 2,520 For filing a request for ex parte reexamination                      |          |
| 112                       | 920* 112 920* Requesting publication of SIR prior to Examiner action                 |          |
| 113                       | 1,840* 113 1,840* Requesting publication of SIR after Examiner action                |          |
| 115                       | 110 215 55 Extension for reply within first month                                    |          |
| 116                       | 390 216 195 Extension for reply within second month                                  |          |
| 117                       | 890 217 445 Extension for reply within third month                                   |          |
| 118                       | 1,390 218 695 Extension for reply within fourth month                                |          |
| 128                       | 1,890 228 945 Extension for reply within fifth month                                 |          |
| 119                       | 310 219 155 Notice of Appeal   |          |
| 120                       | 310 220 155 Filing a brief in support of an appeal                                   |          |
| 121                       | 270 221 135 Request for oral hearing   |          |
| 138                       | 1,510 138 1,510 Petition to institute a public use proceeding                        |          |
| 140                       | 110 240 55 Petition to revive - unavoidable  |          |
| 141                       | 1,240 241 620 Petition to revive - unintentional                                     |          |
| 142                       | 1,240 242 620 Utility issue fee (or reissue)   |          |
| 143                       | 440 243 220 Design issue fee   |          |
| 144                       | 600 244 300 Plant issue fee  |          |
| 122                       | 130 122 130 Petitions to the Commissioner  |          |
| 123                       | 50 123 50 Processing fee under 37 CFR 1.17(q)  |          |
| 126                       | 180 126 180 Submission of Information Disclosure Stmt                                |          |
| 581                       | 40 581 40 Recording each patent assignment per property (times number of properties) |          |
| 146                       | 710 246 355 Filing a submission after final rejection (37 CFR § 1.129(a))            |          |
| 149                       | 710 249 355 For each additional invention to be examined (37 CFR § 1.129(b))         |          |
| 179                       | 710 279 355 Request for Continued Examination (RCE)                                  |          |
| 169                       | 900 169 900 Request for expedited examination of a design application                |          |
| Other fee (specify) _____ |  |          |

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## SUBMITTED BY

Complete (if applicable)

|                   |                   |                                      |        |               |                |
|-------------------|-------------------|--------------------------------------|--------|---------------|----------------|
| Name (Print/Type) | John V. Biernacki | Registration No.<br>(Attorney/Agent) | 40,511 | Telephone     | (216) 586-7747 |
| Signature         | John V. Biernacki |                                      | Date   | Jan. 12, 2001 |                |

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